

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Finance (Budget and Accounts) Department

#### Notification

30-7/70/Fin(Bud)/15

Read: Notification No. 30-4/67/Fin(Bud) dated 7-8-1968 published in the Government Gazette No. 20, Series I, dated 16-8-1968.

It is notified for information of all concerned that the provisions of the notification mentioned above would also apply to branches of Banco Nacional Ultramarino other than those mentioned in the said notification wherever procedural difficulties are experienced — in making refunds of deposits due to non-availability of original records.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. G. Sathe, Under Secretary (Finance).

Panaji, 12th April, 1971.

### Finance (Control) Department

#### ORDER

7-1-71-Fin(C)

A copy of the notification No. 1-CA(45)/71, dated 6th March, 1971 from Institute of Chartered Accountants of India is hereby published for general information and guidance.

V. G. Sathe, Under Secretary (Finance).

Panaji, 19th April, 1971.

The Institute of Chartered Accountants of India

Post Box No. 268,  
Indraprastha Marg,  
New Delhi-1,  
6th March 1971.

#### Notification

(Chartered Accountants)

No. 1-CA(45)/71. — In pursuance of sub-regulation (2) of Regulation 59 of the Chartered Accountants Regulations, 1964, the Council of the Institute

of Chartered Accountants of India is pleased to make the following amendments in the Chartered Accountants Students' Association Rules —

“In Rules 8, 9 and 9A of the said Rules, for the word and figure “Rs. 5/-” substitute the word and figure “Rs. 10/-” ”.

The above amendments will come into force with effect from 1st April, 1971.

C. BALAKRISHNAN

Secretary.

### Law and Judicial Department

#### Notification

LD/LAQ/27/70

In exercise of the powers conferred under Section 117 of the Transfer of Property Act, 1882 (4 of 1882) the Lieutenant Governor of Goa, Daman and Diu hereby declare that all the provisions of Chapter V of the said 1882 Act shall subject to the provisions of Goa, Daman and Diu Agricultural Tenancy Act, 1964 (7 of 1964), be with effect from this day the 22nd April, 1971 applicable in the case of all leases for Agricultural purposes.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

M. S. Borkar, Under Secretary (Law).

Panaji, 22nd April, 1971.

### Administrative Tribunal

#### Notification

ADM/TRI/REG/1/71

In exercise of the powers conferred by Section 14 of the Administrative Tribunal Act, 1965 and with the previous sanction of the Government of Goa, Daman and Diu the Chairman of the Administrative Tribunal hereby frames the following regulation.

1. **Short title.** — (a) This regulation may be called the Goa, Daman and Diu Administrative Tribunal Regulation, 1971.

(b) This shall come into force at once.

2. The members of the Tribunal shall sit in two Benches namely:—

BENCH No. 1  
and  
BENCH No. 2

3. The Chairman may by notification in the Official Gazette appoint transfer any member of the Tribunal to any Bench from time to time keeping in view the exigencies of the work to be dealt with by the Tribunal.

4. The Chairman may, from time to time issue directions for allotment of the work to the Benches with reference to the Acts under which any petition, appeal, review or revision is to be heard by the Tribunal keeping in view the exigencies of the work.

5. The Registrar of the Tribunal shall mark the cases triable by each bench as per the directions of the Chairman.

6. As amongst the members of a bench the cases would be distributed on the basis of lot to be drawn by the Registrar in open courts.

7. The Chairman may, suo moto or on an application of any party withdraw any case to be heard by a special Bench to be constituted by him for the purpose.

8. The Chairman may, suo moto, or on an application of any party, transfer any case pending before any Bench to a different Bench.

9. The hours and days of ordinary session of the Benches shall be notified by the Chairman in the Official Gazette.

O. P. Garg, Chairman, Administrative Tribunal.  
Panaji, 22nd April, 1971.

### Legislative Assembly of Goa, Daman and Diu

#### Legislature Department

LA/A/7/829/71

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 23rd April, 1971 is hereby published for general information in pursuance of the provisions of Rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

### The Goa, Daman and Diu Civil Courts (First Amendment) Bill, 1971

(Bill No. 10 of 1971)

A Bill to amend the Goa, Daman and Diu Civil Courts, Act, 1965.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in its Twenty-second Year of Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Civil Court (Amendment) Act, 1971.

2. **Amendment of section 8.**—In section 8 of the Goa, Daman and Diu Civil Court Act, 1965 (hereinafter referred to as the principal Act), in sub-section (2), the words 'or the Administrator' shall be omitted.

3. **Amendment of section 9.**—In section 9 of the principal Act, after the words 'The Administrator may', the commas and words, 'in consultation with the High Court', shall be inserted.

4. **Amendment of section 10.**—In section 10 of the principal Act, after the words 'The Administrator may', the commas and words, 'in consultation with the High Court', shall be inserted.

5. **Amendment of section 11.**—In section 11 of the principal Act, for the words, 'if the Administrator, in consultation with the High Court, so directs', the words 'with the previous sanction of the High Court' shall be substituted.

6. **Amendment of section 14.**—In section 14 of the principal Act, — (i) in sub-section (1), after the words 'The Administrator', the commas and words 'in consultation with the High Court', shall be inserted; and

(ii) in sub-section (3), after the words and commas 'the administrator', the words and commas 'in consultation with the High Court', shall be inserted.

7. **Amendment of section 15.**—In section 15 of the principal Act, after the words 'the Administrator', the commas and words, 'consultation with the High Court', shall be inserted.

8. **Amendment of section 16.**—In section 16 of the principal Act, after the words 'the Administrator', the commas and words, 'in consultation with the High Court', shall be inserted.

9. **Amendment of section 17.**—In section 17 of the principal Act, 'the Administrator', the words and commas 'in consultation with the High Court', shall be inserted.

10. **Amendment of section 18.**—In section 18 of the principal Act, both in sub-section (1) and in the proviso, after the words 'the Administrator' the commas and words 'in consultation with the High Court', shall be inserted.

11. **Amendment of section 19.**—In section 19 of the principal Act, after the words 'the Administrator may', the commas and words, 'in consultation with the High Court', shall be inserted.

12. **Amendment of section 20.**—In section 20 of the principal Act, in the proviso—

(i) after the words 'the Administrator may', the commas and words, 'in consultation with the High Court', shall be inserted; and

(ii) after the words 'the Administrator' at the end, a comma and the words, 'in consultation with the High Court', shall be inserted.

13. **Amendment of section 23.**—In section 23 of the principal Act, (i) in sub-section (1), after the words 'The Administrator may', the commas and

words, 'in consultation with the High Court', shall be inserted; and

(ii) in the proviso, after the words 'the Administrator', the commas and words, 'in consultation with the High Court' shall be inserted.

**14. Amendment of section 25.**— In section 25 of the principal Act, in sub-section (1), after the words 'the Administrator', the commas and words, 'in consultation with the High Court', shall be inserted.

**15. Amendment of section 26.**— In section 26 of the principal Act, in the proviso to sub-section (1), after the words 'the Administrator', the commas and the words, 'in consultation with the High Court', shall be inserted.

#### Statement of Objects and Reasons

Parliament has already passed the Union Territories (Separation of Judicial and Executive Functions) Act, 1969 which extends among others, to the Union territory of Goa, Daman and Diu although it has not yet been brought into force here by a competent notification. That Act, besides clearly defining the functions of the Judicial and Executive Magistrates, provides for the consultation with the High Court before any powers conferred by the Code of Criminal Procedure 1898 are exercised by the Government in respect of the functions, powers, local limits jurisdiction and appointment of Criminal Courts, i.e. various Session Judges and Judicial Magistrates.

This Bill proposes to extend such principles to Civil Courts by suitably amending certain provisions of the Goa, Daman and Diu Civil Courts Act, 1965. It lays down that the High Court should be consulted by the Administrator in every case of one of powers conferred on him, by the said Act. It is also found unnecessary and contrary to the principle of independence of judiciary, for the Administrator to call for any reports, returns or copies of proceedings, from the District Judge. Such powers has already been conferred on the High Court by section 8(2) of the said Act and that provision appears to be sufficient to ensure that the District Court functions efficiently and expeditiously. The power of the Administrator to call for the reports, returns and copies of proceedings is proposed to taken away, accordingly.

Panaji,  
22nd March, 1971

ORLANDO S. LOBO  
M.L.A.

Assembly Hall  
Panaji,  
31st March, 1971

O. P. GARG  
Secretary to the Legislative  
Assembly of Goa, Daman and Diu.

No. LA/A/786/71

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 19th April, 1971 is hereby published for general information in pursuance of the provisions of Rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

## THE GOA, DAMAN AND DIU APPROPRIATION BILL, 1971

(Bill No. 13 of 1971)

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the services and purposes of the financial year 1971-72.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-Second Year of the Republic of India as follows:—

**1. Short title.**— This Act may be called the Goa, Daman and Diu Appropriation Act, 1971.

**2. Issue of Rs. 28,18,53,000 out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the financial year 1971-72.**— From and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu, there may be paid and applied sums not exceeding those specified in column 5 of the Schedule, amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1971 (Bill No. 7 of 1971)] to the sum of twenty eight crores, eighteen lakhs and fifty three thousand rupees, towards defraying the several charges which will arise for payment during the financial year 1971-72 in respect of the services and purposes specified in column 2 of the Schedule.

**3. Appropriation.**— The sums authorised to be paid and applied from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said financial year.

#### THE SCHEDULE (See Sections 2 & 3)

No. of vote	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund	Total
1	2	3	4	5
		Rs.	Rs.	Rs.
1.	Land Revenue ...	6,25,000	—	6,25,000
2.	State Excise Duties	10,75,000	—	10,75,000
3.	Taxes on Vehicles ...	3,70,000	—	3,70,000
4.	Sales Tax ...	4,23,000	—	4,23,000
5.	Other Taxes and Duties ...	2,10,000	—	2,10,000
6.	Stamps ...	30,000	—	30,000
7.	Registration Fees ...	5,10,000	—	5,10,000
—	Interest on Debt and Other Obligations	—	1,56,03,000	1,56,03,000
8.	Parliament and State / Union territory Legislature ...	7,05,700	43,100	7,48,800
9.	General Administration ...	56,00,00	2,02,000	58,02,000
10.	Administration of Justice ...	12,82,000	3,74,000	16,56,000
11.	Jails ...	6,25,000	—	6,25,000
12.	Police ...	81,00,000	—	81,00,000
13.	Miscellaneous Departments ...	8,70,000	—	8,70,000

1	2	3	4	5
		Rs.	Rs.	Rs.
14. Scientific and Education Departments ...	3,15,40,000	—	3,15,40,000	
15. Medical and Public Health Services ...	2,28,89,000	—	2,28,89,000	
16. Agriculture, Forest and Animal Husbandry ...	92,47,500	—	92,47,500	
17. Cooperation and Community Development ...	17,60,600	—	17,60,600	
18. Industries and Labour ...	14,18,600	—	14,18,600	
19. Miscellaneous Social and Developmental Organisations ...	40,47,800	—	40,47,800	
20. Irrigation, Navigation, Embankment and Drainage Works and Electricity Schemes ...	1,48,77,000	—	1,48,77,000	
21. Public Works ...	1,59,85,000	—	1,59,85,000	
22. Road and Transport Schemes (including Ports and Pilotage) ...	32,87,700	—	32,87,700	
23. Pensions and Other Retirement Benefits ...	33,50,000	—	33,50,000	
24. Stationery and Printing ...	23,00,000	—	23,00,000	
25. Miscellaneous (including Miscellaneous Compensations and Assignments) ...	62,37,000	—	62,37,000	
26. Capital Outlay on Improvement of Public Health ...	1,28,00,000	—	1,28,00,000	
27. Capital Outlay on Schemes of Agricultural Improvement and Research ...	59,10,000	—	59,10,000	
28. Capital Outlay on Industrial and Economic Development ...	26,63,300	—	26,63,300	
29. Capital Outlay on Irrigation and Electricity Schemes ...	2,21,65,000	—	2,21,65,000	
30. Capital Outlay on Public Works ...	1,88,69,200	—	1,88,69,200	
31. Capital Outlay on Other Works ...	30,93,000	—	30,93,000	
32. Capital Outlay on Road and Transport Schemes (including Ports) ...	30,00,000	—	30,00,000	
33. Capital Outlay on Forests ...	12,31,000	—	12,31,000	
34. Capital Outlay on Schemes of Government Trading ...	4,31,90,800	—	4,31,90,800	
— Public Debt ...	—	91,36,000	91,36,000	
35. Loans and Advances ...	62,06,700	—	62,06,700	
GRAND TOTAL...	25,64,94,900	2,53,58,100	28,18,53,000	

## Financial memorandum

Provision is made in the Bill to appropriate for the services and purposes expressed in the Schedule during the financial year 1971-72 a sum of Rs. 28,18,53,000/-. This amount consists of

Rs. 15,35,88,000/- on Revenue Account and Rs. 12,82,65,000/- on Capital Account including Public Debt and Loans and Advances and includes also the sums specified in the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1971 (Bill no. 7 of 1971) passed by this Assembly on 23rd March, 1971.

## Statement of objects and reasons

The Budget for the year 1971-72 was presented to the Legislative Assembly on 22nd March, 1971. The Demands for Grants have since been discussed and voted by the Assembly. This Appropriation Bill is, therefore, introduced in accordance with the provisions of sub-Section (1) of Section 29 of the Government of Union Territories Act, 1963, to provide for the appropriation out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu of the moneys required for the services during the financial year 1971-72.

The Administrator, has in pursuance of sub-Section (1) of Section 23 of the Act *ibid*, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

Panaji,

April 19, 1971 DAYANAND B. BANDODKAR  
Chaitra 29, 1893 Chief Minister

Assembly Hall,

Panaji,

20th April, 1971.

O. P. GARG

Secretary to the Legislative Assembly  
of Goa, Daman and Diu

Office of the Chief Electoral Officer

## Notification

4-4-71/Elec.

The undermentioned notifications issued by the Election Commission of India, New Delhi, are hereby republished for general information.

- i) No. 56/71-XIV dated 6/4/1971.
- ii) No. 56/71-XV dated 6/4/1971.
- iii) No. 56/71-XVI dated 22/4/1971.
- iv) No. 56/71-XVII dated 23/4/1971.

O. P. Garg, Chief Electoral Officer.

Panaji, 26th April, 1971.

Election Commission of India

New Delhi, the 6th April, 1971

## Notification

S. O. — In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/71-II dated the 25th January, 1971, published in the

extraordinary issue of the Gazette of India Part II Section 3 (ii) dated the 27th January, 1971, namely:—

In Table 1, under the column 'National Parties' for the existing entry 1(b), the entry 'Indian National Congress (presided over by Shri D. Sanjivayya)' shall be substituted.

[56/71-XIV]

By order,

K. S. RAJAGOPALAN

Secretary to the Election Commission of India.

*New Delhi, the 6th April, 1971*

## Notification

S. O. — In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/71-II dated the 25th January, 1971, published in the extraordinary issue of the Gazette of India Part II Section 3(ii) dated the 27th January, 1971, namely:—

- (i) In Table 2, above the entry "Assam ... All Party Hill Leaders' Conference ... Flower", the entry "Andhra Pradesh ... Telangana Praja Samithi ... Spade" Shall be added; and
- (ii) In Table 3, against the entry "1. Andhra Pradesh", the item "(4) Spade" shall be omitted and the following items appropriately renumbered.

[56/71-XV]

By order,

K. S. RAJAGOPALAN

Secretary to the Election Commission of India.

*New Delhi, the 22nd April, 1971*

## Notification

S. O. — In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/71-II dated the 25th January, 1971, published in the extraordinary issue of the Gazette of India, Part II Section 3(ii) dated the 27th January, 1971, namely:—

- (i) In Table 2, against the entry "Orissa", for the existing entries in columns "Name of the State Party" and "Symbol allotted", the following entries shall be substituted:—
  - "1. Jana Congress ... Scales,
  2. Utkal Congress ... Water wheel and Plough (Halchaka)";
  - and
- (ii) In Table 3, against the entry "12. Orissa", the item "(5) Water wheel and Plough

(Halchaka)" shall be omitted and the following items appropriately renumbered.

[56/71-XVI]

By order,

K. S. RAJAGOPALAN

Secretary to the Election Commission of India.

*New Delhi, the 23rd April, 1971*

## Notification

S. O. — In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/71-II dated the 25th January, 1971, published in the extraordinary issue of the Gazette of India Part II Section 3(ii) dated the 27th January, 1971, namely:—

In Table 3, against the entry "1. Andhra Pradesh", the item "(2) Horse" shall be omitted and the following items appropriately renumbered.

[56/71-XVII]

By order,

K. S. RAJAGOPALAN

Secretary to the Election Commission of India.

## Food and Civil Supplies Department

## ORDER

5-11/71/FCS-CS

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Government of India in the Ministry of Food and Agriculture Community Development and Co-operation (Department of Food) No. G.S.R. IIII dated 24th July, 1967 and with the concurrence of the Central Government the Lt. Governor of Goa, Daman and Diu hereby makes as follows the Fifth amendment to the Goa, Daman and Diu Sugar Dealers' Licensing Order 1963 as last amended as per Goa, Daman and Diu Government notification No. CS/906/A/66 dated 30-6-1966.

1. In the Goa, Daman and Diu Sugar Dealer's Licensing Order, 1963 (hereinafter referred to as the «principal Order») for the figures and words «50 quintals» wherever they occur the figures and words «100 quintals» shall be substituted.

2. In condition 4 of Form 'B' of the schedule appended to the principal order for the words «every fortnight ..... after the close of the fortnight» the following shall be substituted:—

«every month on the first date of next month so as to reach him within five days after the close of every month».

3. Form 'C' of the schedule appended to the principal order shall be substituted by the following, namely: —

### FORM C

For use by a dealer

(See condition 4 of Form B)

Return of stocks, receipts and sales of sugar for the month ending ... 19...

Name ...

No. of licence ...

Address ...

Particulars of godowns where stock held and quantity in stock of each form of sugar containing more than 90% of sucrose in bags/quintals.

Particular of godowns	Quantity in stock bags/quintals	Remarks if any
1.		
2.		
3.		
1. Stock at the beginning of the month		
a) actually with the licensee ... bags/quintals.		
b) pledged with any person or institution such as a bank or cooperative society ... bags/quintals.		
Total ... bags/quintals		

#### 2. Quantity purchased during the month

Name of factory from whom purchased      Quantity (in bags/quintals)

i)

ii)

iii)

iv) Total ...

#### 3. Quantity received out of quantity purchased during the month.

From (Name of factory)      Quantity (in bags/quintals)      Date of purchase

i)

ii)

iii)

iv) Total ...

#### 4. Quantity sold

a) Quantity sold/and delivered/removed during the month ... bags/quintals.

b) Quantity sold but not yet delivered ... total sold ... bags/quintals.

#### 5. a) actually with the licensee

i) unsold ...

ii) sold but awaiting delivery ...

b) pledged with any other person or institution such as bank or a co-operative society ...

Total ...

To

1. Licensing Authority.

Place

District

Date

District

Signature.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

Panaji, 23rd April, 1971.

Directorate of Education

### ORDER

DE/SEC/GIA CODE/71

Read: — Govt. Order No. ES/EDN/1374, dated 13th August, 1963.

Sanction is hereby accorded for amending Rule no. 66 and Rule no. 74 of the "Grant-in-aid Code for Secondary Schools, Colleges and Other Educational Institutions, except the Primary Schools" published under the above cited Order, in the Government Gazette (2nd Supplement) Series I, no. 34, dated 2-9-1963. The amended rules are as detailed in the Annexure.

These amended rules will come into force from the date of issue of this Order.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. H. Sardesai, Director of Education & Additional Secretary to the Government of Goa, Daman and Diu (Ex-Officio).

Panaji, 25th March, 1971.

#### Amendment to Rules 66 and 74 of the Grant-in-aid Code

#### Rule 66 — Vacation Pay

##### 1. Non-permanent employees —

Non-permanent employees who have served in a school for three and four months in the first and second term respectively and whose services have been terminated by the Management, will be entitled to the salary for the October or December and summer vacation as the case may be, provided they were not serving in a purely temporary vacancy, such as leave, deputation, a temporary post created for a specific period etc. In the cases not falling under the above provision the employee will have to be paid in addition to the vacation salary for the gap between the date of relief and the date of beginning of the vacation also, if the Director of Education is satisfied that the relief was intentional.

##### 2. Permanent employees —

(i) Permanent employees, who are relieved with compensation as laid down under Rule 74(2)(1), shall not be eligible for vacation salary in addition to the amount of compensation.

(ii) Permanent employees, relieved because of reduction of establishment under Rule 74(4) shall be eligible for vacation salary.

(iii) Permanent employees, who retire after attaining the age of superannuation or after the expiry of the period of extension or re-employment granted to them, shall be entitled to vacation salary provided they satisfy clause 1 above.

#### Rule 74 — Termination of Employment

1. The service of a non-permanent employee may be terminated by the Management at any time without assigning any reason after giving one calendar month's notice or by paying one month's

salary (Pay and allowances, if any) in lieu of notice. The notice should not, however, be given during vacation or so as to cover any part of the vacation or within a month after the vacation.

*N.B.*—A calendar month means one of the 12 months in which the year is divided according to the calendar; also the space of time from any day of any such month to the corresponding day of the next month as opposed to the lunar month of four weeks. In computing time by calendar months, time must be reckoned by looking at the calendar and not by counting days. Thus «One calendar month's notice», will be calculated from the day of notice to the day numerically corresponding in the following month, less one. However, when there is no corresponding day in the last month of notice, the employee's service will be terminated on the last day of such last month, so that an employee who was served with a notice of discharge will not be retained in service or the Management will not be required to pay him salary, for a greater number of days than there are in the month in which he was served with the notice of discharge. Accordingly, the calendar month's notice given on the 23rd February, 1953, will terminate on the 22nd March which would only amount to 28 days.

2.(i) The services of a permanent employee may be terminated by the Management without assigning any reason on giving compensation as follows:—

- (a) 12 months' salary (pay and allowances, if any), to the employee if he/she has been in the service of the school for 10 years or more;
- (b) 6 months' salary (pay and allowances, if any) to the employee, if he/she has been in the service of the school for less than 10 years.

No employee should be removed under this rule without the prior approval of the Deputy Director of Education concerned.

(ii) The Management shall immediately inform the Deputy Director of Education concerned of the action regarding the discharge of and payment made to such an employee. The Deputy Director of Education shall satisfy himself that the payment to the employee was made forthwith. In cases falling under this rule, no employee should be relieved by the Management without previous payment of the prescribed compensation and failure to do so may entail such cut in grant-in-aid due to the school and other action against the management as the Deputy Director may consider appropriate.

3.(i) In all cases of termination of services of permanent employees excepting those mentioned above, an enquiry shall be held through a properly constituted Enquiry Committee. Such an enquiry can be held only in the case of insubordination, neglect of duties or misconduct (in each case of a serious nature).

#### Composition of the Enquiry Committee

(a) If the enquiry is against the employee who is not a Headmaster/Headmistress, the Committee shall consist of (1) the Headmaster/Headmistress of the school concerned, (2) a person nominated by the employee concerned from amongst the members of the Executive of the Governing Council or from amongst the teachers in the same school, as the case may be, and (3) a person nominated by the Management from amongst the members of the Executive or Governing Council.

*N.B.*—If the person nominated by the employee from amongst the members from the Executive or the Governing

Council is not available, the employee may nominate an outsider.

(b) If the enquiry is against the Head of the School, the Enquiry Committee shall consist of a member nominated by the Headmaster/Headmistress from amongst the members of the Executive or Governing Council, the remaining two members being nominated by the Management out of the members of the Executive or Governing Council.

*N.B.*—If no member is available from the Managing Committee as nominated by the Headmaster/Headmistress, the Headmaster/Headmistress may nominate an outsider.

(ii) The Management may suspend an employee during the course of the enquiry and if this is done, the employee shall have to be given full pay and allowances, if any, during the period of suspension.

#### Procedure of enquiry

(iii) (a) If an employee of a school is allegedly guilty of insubordination, neglect of duties or misconduct (in each case of a serious nature), the Secretary on behalf of the Management shall communicate to the employee the allegations and demand from him a written explanation within a week.

(b) If the Secretary finds that the explanation is not satisfactory, he shall, if authorised by the Management, proceed to constitute an Inquiry Committee and direct the employee concerned to nominate a person on the Committee on his own behalf within a fortnight, as provided for in rule 3.(i) (a) above.

(c) The Enquiry Committee shall go through the allegations and the employee's explanation, if any, and if it feels that there is a case for inquiry, frame a charge-Sheet and communicate it to the employee within a week of its constitution.

(d) The Enquiry Committee shall then hold an enquiry after giving 10 days' notice to the Secretary and the employee. The employee shall have the right to be heard in person and to lead evidence, if any. He shall also have the right to cross-examine the witnesses examined on behalf of the Management. The Management also shall have the right to lead evidence and a right to cross-examine the witness examined on behalf of the employee. The evidence thus collected shall be recorded in writing and endorsed both by the employee and the Secretary in token of its authenticity.

(e) The Enquiry Committee shall give to the employee a summary of the proceedings and allow him to take copies, statements of witnesses, if any, and allow him 7 days to offer his further explanation, if any.

(f) On receipt of the further explanation of the employee or, if no explanation is offered within 7 days, the Enquiry Committee shall complete the enquiry and record its findings and decision in writing within a week after the date fixed for receipt of further explanation and communicate the same to the Secretary and the employee immediately. The Management shall communicate in three weeks' time to the Deputy Director concerned the charges levelled against the employee, the explanation given by him thereon, the Enquiry Committee's findings and the decision arrived at. (If the employee does not take part in the enquiry deliberately or remains absent at the enquiry, ex parte findings may be arrived at and recorded by the Committee).

*N.B.*—A case in which the inquiry is proposed to be held against the Headmaster/Headmistress who is also the Secretary to the Parent Body, the functions allotted to the



Secretary under this Rule, shall be delegated to a duly authorised member of that body.

(g) Either party shall have the right to prefer an appeal to the Deputy Director within 15 days of the receipt of the decision. If no appeal is preferred by either side, the decision of the Committee shall be treated as final and binding on both the parties and shall be executed forthwith.

(h) If an appeal is preferred, the Deputy Director shall take a decision on the appeal within two months of the receipt of the appeal after hearing both the parties, if they so desire, and communicate it to both the parties by registered post A. D. The decision of the Deputy Director shall be treated as final and binding on both the parties.

(i) In cases of proved misconduct of a teacher, the Deputy Director shall stipulate the period during which the teacher concerned will not be re-employed in any other educational institution.

4. In cases of reduction of establishment owing to the reduction in the number of classes or fall in the number of pupils affecting the income of the school or a change in the curriculum affecting the number of certain category of teachers or closure of a course of studies or of the school itself or any other bonafide reasons of similar nature, managements may, terminate the service of a permanent employee after giving three months' notice or three months' pay in lieu of notice. In such cases, the principle of seniority shall ordinarily be observed, but if for any special reasons, this principle is proposed to be departed from by the Management and a senior member of the staff is proposed to be retrenched when a junior member should have been retrenched, they shall obtain the prior approval of the Deputy Director concerned. The Deputy Director shall, in all such cases, be bound to give his decision within one month of the receipt of the reference. If posts retrenched are revived or additional posts are created within one year from the date of any retrenchment as above, the permanent employee or employees retrenched shall be given the first opportunity of rejoining service in the school and he/they shall be restored to his/their original position in pay and seniority. If no written reply is received from any employee within a fortnight from the date of acknowledgement, or refusal to receive by post such offer made by Registered post A. D. by the Management, the latter shall be free to fill the post or posts otherwise. For this purpose, the retrenched employees shall register their addresses in the schools before they are relieved.

5. A Management shall not delegate to any subordinate authority, other than the principal executive officer of the general body in the case of a registered Society, power to terminate the service of an employee or to reduce his pay. The power to impose any other penalty may be delegated at the discretion of the Management to the Head of the School, subject to such limitation as the Management may consider desirable.

6. The expenditure incurred by the Management on payment of compensation under clause 2.(i)

above, and salary (pay plus allowances, if any) in lieu of notice period under clauses 1 and 4 above should not be held admissible for purposes of Government grant except in cases where the discharge of the employee is at the instance of Government.

7. No non-permanent employee shall leave service without giving one calendar month's notice or without paying one month's salary (pay and allowances, if any) in lieu of notice, to the Management. Similarly, no permanent employee shall leave service without giving 3 calendar months' notice or without paying 3 calendar months' salary in lieu of notice to the Management. In either case, the notice should not be given during the vacation or so as to cover any part of vacation or within a month after vacation.

8. The Managements of Non-Government Secondary Schools should pay all legitimate dues to their employees as and when directed by the Department.

9. An employee dismissed or removed from service for misconduct etc. under clause 3 above by a School or from Government service or by a local Body shall not be re-employed by any other recognised institution for such period as may be specified by the Deputy Director concerned or the Director provided that the officer concerned is satisfied about the serious nature of the misconduct and has notified accordingly to that effect.

## Public Health Department

### ORDER

E-9/67-HS/FP/2241

Read: Government Order No. PDD/MC/64 dated 4-4-1964.

Government is hereby pleased to prescribe a correct central scale of pay of Rs. 375-25-425 to the eight posts of Casualty Medical Officers in the Goa Medical College created vide Govt. Order No. PDD/MC/64, dated 4-4-64 cited above, as shown below, with immediate effect:—

Designation	No. of posts	Present scale of pay	Correct central scale of pay
Casualty Medical Officers.	8	Rs. 325/- fixed for M. B. B. S. Rs. 375-25-425 for post-graduates.	Rs. 375-25-425 plus Rs. 100/- p. m. for post graduate degree holders and Rs. 50/- p. m. for post-graduate diploma holders, with all other usual allowances admissible to other employees of this Administration from time to time.

This issues in concurrence with Finance Department vide their U. O. No. F(E)/961/71/4080 dated 2-4-1971.

By order and in the name of the Administrator of Goa, Daman and Diu.

*F. A. Figueiredo*, Under Secretary (Health).

Panaji, 20th April, 1971.